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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/767,078	01/30/2004	Masayuki Nakamura	501.33808CV4	6119
20457	7590	09/27/2004	EXAMINER	
ANTONELLI, TERRY, STOUT & KRAUS, LLP 1300 NORTH SEVENTEENTH STREET SUITE 1800 ARLINGTON, VA 22209-9889			NGUYEN, TAN	
			ART UNIT	PAPER NUMBER
			2818	

DATE MAILED: 09/27/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

9/2

Office Action Summary	Application No. 10/767,078	Applicant(s) NAKAMURA ET AL.	
	Examiner Tan T. Nguyen	Art Unit 2818	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 25 August 2004.
2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-24 is/are pending in the application.
4a) Of the above claim(s) _____ is/are withdrawn from consideration.
5) ☒ Claim(s) 1-17 and 21-24 is/are allowed.
6) ☒ Claim(s) 18-20 is/are rejected.
7) ☐ Claim(s) _____ is/are objected to.
8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

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1. The following action is in response to the amendment filed by Applicants on August 25, 2004.
2. Claims 1-24 are pending.
3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

4. Claims 18-20 are rejected under 35 U.S.C. 102(b) as being anticipated by O'Toole et al. (U.S. Patent No. 5,212,442).

O'Toole et al. disclosed in Figure 1 a memory circuit [10] includes a charge pump [24] (column 1, line 40). The charge pump [24] is powered by a first power supply voltage [VCC] and a second power supply voltage [VSS] and generates the –1 volt [VBB] voltage for driving the substrate (column 1, lines 45-47). O'Toole et al. further disclosed during testing, the positive power supply voltage [VCC] and the substrate voltage [VBB] are varied in order to stress certain failure mechanisms and identify both failed and marginally performing circuits (column 1, 53-57). As O'Toole et al. disclosed above that the charge pump [24] generates the substrate voltage [Vbb] of –1 volts from the first power supply voltage [VCC], therefore, as the first power supply voltage [VCC] is varied, the substrate voltage [VBB] is al varied accordingly to the power supply voltage [VCC].

Regarding claim 19, although O'Toole did not specifically disclosed what type of testing operation applied to the memory circuit, the burn-in test would be one of the tests applied to the memory circuit.

Regarding claim 20, the substrate in the memory circuit [10] in Figure 1 would inherently include a P-type region.

5. Applicant's arguments with respect to claims 18-20 have been considered but are moot in view of the new ground(s) of rejection.

The Examiner agreed with Applicant's assertion of the effective filing date of the present application which makes the U.S. Patent to Gins is inapplicable. A new reference to O'Toole et al. with earlier filing has been found and applied to claims 18-20.

6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Tan T. Nguyen whose telephone number is (571) 272-1789. The examiner can normally be reached on Monday to Friday from 07:00 AM to 03:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, David C. Nelms, can be reached at (571) 272-1787. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should

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you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

A handwritten signature in black ink, appearing to read 'Tan T. Nguyen', with a long, sweeping horizontal line extending to the right.

Tan T. Nguyen
Primary Examiner
Art Unit 2818
September 22, 2004